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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/607,676	06/30/2000	Warren Keith Edwards	XERX-01041US0 MCF/JEF	1239
23910	7590	05/23/2006	EXAMINER PAULA, CESAR B	
FLIESLER MEYER, LLP FOUR EMBARCADERO CENTER SUITE 400 SAN FRANCISCO, CA 94111			ART UNIT 2178	PAPER NUMBER

DATE MAILED: 05/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Interview Summary</b>	<b>Application No.</b> 09/607,676	<b>Applicant(s)</b> EDWARDS ET AL.	
	<b>Examiner</b> CESAR B. PAULA	<b>Art Unit</b> 2178	

All participants (applicant, applicant's representative, PTO personnel):

(1) CESAR B. PAULA. (3)\_\_\_\_\_.

(2) ERIC N. HOOVER. (4)\_\_\_\_\_.

Date of Interview: 18 May 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 25.

Identification of prior art discussed: DANKNICK.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: DISCUSSED DIFFERENCES BETWEEN THE AMENDED CLAIM, AND DANKNICK WITH REGARDS TO THE ACTIVE PROPERTY INCORPORATION OF EXECUTABLE CODE.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.



**CESAR PAULA**

**PRIMARY EXAMINER**

Examiner's signature, if required

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

## Summary of Record of Interview Requirements

### Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

### Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

#### Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

#### 37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,  
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

### Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

# FLIESLER MEYER LLP

## INTELLECTUAL PROPERTY LAW

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### C O N F I D E N T I A L

TO: Cesar Paula

FAX NO.: 571-273-4128

FROM: Eric N. Hoover

RE: XERX 1041US0

DATE: May 16, 2006 Total Pages : 10

Original will follow by mail: No

If you do not receive all of the pages, please call Mary Beth Stone at 415.362.3800.

MESSAGE (if any):

**NOTICE:** This facsimile is **CONFIDENTIAL** and may be attorney-client privileged, work product, and/or otherwise exempt from disclosure under applicable law.

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### Applicant Initiated Interview Request Form

Application No.: 09/607,676 First Named Applicant: Edwards et al.  
Examiner: Cesar Paula Art Unit: 2178 Status of Application: In Final

**Tentative Participants:**

(1) Eric Hoover (2) Cesar Paula  
(3) \_\_\_\_\_ (4) \_\_\_\_\_

Proposed Date of Interview: 05/18/06 Proposed Time: 3:00 (AM/PM) PM

**Type of Interview Requested:**

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Rej.</u>	<u>12</u>	<u>Danknick</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej.</u>	<u>25</u>	<u>Danknick</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Continuation Sheet Attached					

**Brief Description of Arguments to be Presented:**

See DRAFT Response transmitted herewith.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Eric N. Hoover  
Applicant/Applicant's Representative Signature

C. Paula  
Examiner/SPE Signature

Eric N. Hoover

Typed/Printed Name of Applicant or Representative

37,355

Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 7.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**DRAFT**

In re Application

Inventor(s): Edwards, et al.

Appl. No.: 09/607,676

Confirm. No. 1239

Filed: June 30, 2000

Title: DOCUMENTS AS A METAPHOR  
FOR THE WORLD

PATENT APPLICATION

Art Unit: 2178

Examiner: Cesar B. Paula

Customer No. 23910

**CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO [total number of pages transmitted \_\_\_\_] or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

\_\_\_\_\_  
(Attorney Signature)

Eric N. Hoover

Reg. No. 37,355

Signature Date: \_\_\_\_\_, May 16, 2006

**REPLY D UNDER 37 C.F.R. §1.116**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Art Unit 2178  
Alexandria, VA 22313-1450

Sir:

This REPLY D is in response to the Office Action mailed February 21, 2006.

**Amendments**

Please amend the above-identified application as follows:

Amendments to the claims begin on Page 2.

Remarks begin on Page 5.

In the Claims:

Please cancel claims \_\_\_\_\_, , replace claims \_\_\_\_\_, and add new claims \_\_\_\_\_, all as shown below.

1-11 (Canceled).

12. (Canceled).

13-24 (Canceled).

25. (Currently Amended): A document management system for representing an entity as a document using a data source having associated properties and content information related to the entity, the system comprising:

a bit provider configured to:

i) identify the data source as having the associated properties independent of a specific user request associating the associated properties and the data source;

ii) retrieve the content information from the identified data source;

iii) provide the retrieved content information as at least a portion of the document;

further wherein at least one of said properties is an active property incorporating executable code that affects the behavior of the document within the document management system; and ~~The system of claim 12,~~ further comprising:

an application interface in communication with the bit provider, the application interface configured to provide the document to an application, the bit provider further configured to:

iv) receive additional content information from the application via the application interface; and

vii) send the additional content information to the entity via a communications path in order to modify the document representing said entity.

26-61 (Canceled).



62. (Currently Amended): The system of claim 25 wherein the entity is a task.
63. (Currently Amended): The system of claim 25 wherein the entity is a person.
64. (Currently Amended): The system of claim 25 wherein the entity is an object.
65. (Currently Amended): The system of claim 25 wherein the entity is a device.
66. (Currently Amended): The system of claim 25 wherein the data source is a document.
67. (Currently Amended): The system of claim 25 wherein the data source is a device.
68. (Currently Amended): The method of claim 67 wherein the device is a phone.
69. (Currently Amended): The method of claim 67 wherein the device is a printer.
70. (Currently Amended): The method of claim 67 wherein the device is a camera.

### Remarks

The above Amendments and these Remarks are in reply to the Office Action mailed February 21, 2006.

Claims 12, 25 and 62-70 were pending in the Application prior to the outstanding Office Action. In the Office Action, the Examiner rejected claims 12, 25 and 62-70. The present Response cancels claim 12 and amends claims 25 and 62-70, leaving for the Examiner's present consideration claims 25 and 62-70. Reconsideration of the rejections is requested.

### The Present Invention

Danknick deals with the fairly narrow problem of establishing a communication session between a work station and a printer peripheral. In contrast, the present invention deals with the problem of representing common entities as documents so as to extend the document-centric model of computing to physical and virtual entities. By bringing these entities into the sphere of electronic documents, existing tools and general purpose applications that understand and manipulate documents may be used to interact with the various entities. In essence, electronic documents become a metaphor for the interactive objects in both the virtual and the physical worlds, rather than simply a metaphor for physical documents. Danknick, with its more narrow focus on creating a single communication session, does not deliver these broader benefits.

Thus, the present invention is directed to a much different problem than is Danknick.

The Section 112 Rejection Made in Paragraphs Six and Seven of the Office Action Is Incorrect.

In paragraphs six and seven of the Office Action, the Examiner rejects claims 25 and 62-70 under section 112, second paragraph based on a lack of antecedent basis for the limitation "the bit provider" in claim 25. Applicants have now merged claim 12 into claim 25 arguably mooting this rejection. However, the former base claim 12 did in fact recite the presence of "a bit provider", supplying a proper antecedent basis for the limitation of "the bit provider" in claim 25. So the Examiner's rejection is incorrect.

#### The Examiner's Rejection of Former Claim 12

Claim 12 has been merged into the currently amended claim 25, arguably mooting the Examiner's rejection of claim 12. However, applicants would like to make two points concerning the Examiner's rejection of claim 12. First, in paragraph 12 the Examiner points out that in applicants' arguments it is stated that the "active properties have executable code" whereas the claim recites the presence of an active property "having associated executable code". There is new claim language in the currently amended claim 12 into which the limitations of former claim 12 have been merged. The new claim language reads: "an active property incorporating executable code". So "incorporating" has replaced "having associated" in response to the Examiner's remarks.

Second, in claim 12 the properties derive from the claimed data source. In the rejection the Examiner cites to an "applet" mentioned in column 7 of Danknick in conjunction with the discussion of Figure 10. However, this applet is "downloaded from the HTTP server." (Col. 7, ln. 16). This arrangement is different from the claimed invention. In the claimed invention the properties derive from the data source and, in Danknick, as the Examiner argues, it is the SNMP agent which most nearly corresponds to the data source of the claim. Thus, there is a difference between the former claim 12 and Danknick

because the applet is downloaded from the HTTP server, not the SNMP agent per se, which agent most nearly corresponds to the data source of the claim.

#### The Examiner's Rejection of Claim 25

Claim 25 calls for the bit provider to "receive additional content information **from the application** via the application interface". (Emphasis added). There is an inconsistency in the Examiner's arguments as they appear, for example, at the bottom of page six and the top of page seven in the Office Action. The Examiner writes as follows: "The Examiner disagrees, because Danknick teaches inputting a request for a web page into an icon displayed on a browser, and sending the request to a copier for retrieving setting information **from the copier** over a network—*receiving and sending additional information from the application via a communications path—*." (Emphasis added). As the Examiner describes, in Danknick the "additional content information" (if any) comes from the copier, **not from the application** (which best corresponds to the Danknick browser and certainly does not correspond to the SNMP agent on the Danknick copier) as claimed in the present invention. As acknowledged in the Examiner's own words, then, there is an important difference between claim 25 and Danknick. In Danknick the browser window may be analogous to the claimed "application interface", but the "additional content information" (if any) comes from the SNMP agent on the copier (which most nearly corresponds to the data source of the claim), not from the "application" (which most nearly corresponds to the browser).

Another point is that the portion of the Danknick specification cited by the Examiner does not actually discuss the generation of "additional content information". The Danknick specification merely says that "the page 150 contains icons 151 which, when selected,

cause administrative functions to be executed within the copier." (Col. 7, ll. 18-20). The Danknick specification does not say that selecting the icons causes the generation or transmission of "additional content information" by the copier.

Last, in the claim 25 rejection the Examiner analogizes the SNMP agent to the "bit provider" whereas in the claim 12 rejection the SNMP agent is the data source, not the bit provider. The bit provider is plainly different from the data source; the SNMP agent cannot simultaneously be reasonably analogized to both the data source and the bit provider.

In light of the above, it is respectfully submitted that all of the claims now pending in the subject patent application should be allowable, and a Notice of Allowance is requested. The Examiner is respectfully requested to telephone the undersigned if he can assist in any way in expediting issuance of a patent.

Enclosed is a PETITION FOR EXTENSION OF TIME UNDER 37 C.F.R. §1.136 for extending the time to respond up to and including today, \*\*\*\*\*, 2006.

The Commissioner is authorized to charge any underpayment or credit any overpayment to Deposit Account No. 06-1325 for any matter in connection with this response, including any fee for extension of time, which may be required.

Respectfully submitted,

Date: \_\_\_\_\_

By: \_\_\_\_\_  
Eric N. Hoover  
Reg. No. 37,355

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